

1 Dawniell Zavala (State Bar No. 253130)
2 HOLME ROBERTS & OWEN LLP
3 560 Mission Street, 25th Floor
4 San Francisco, CA 94105-2994
5 Telephone: (415) 268-2000
6 Facsimile: (415) 268-1999
7 E-mail: dawniell.zavala@hro.com

8 Attorney for Plaintiffs
9 LAFACE RECORDS LLC; ELEKTRA
10 ENTERTAINMENT GROUP INC.; UMG
11 RECORDINGS, INC.; and WARNER BROS.
12 RECORDS INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16 LAFACE RECORDS LLC, a Delaware limited
17 liability company; ELEKTRA
18 ENTERTAINMENT GROUP INC., a Delaware
19 corporation; UMG RECORDINGS, INC., a
20 Delaware corporation; and WARNER BROS.
21 RECORDS INC., a Delaware corporation,

22 Plaintiffs,

23 v.

24 JENNIFER LYNN GLASS,

25 Defendant.

Case No.: 4:07-cv-04847-SBA

Hon. Sandra Brown Armstrong

**EX PARTE APPLICATION TO VACATE
CASE MANAGEMENT CONFERENCE
AND ORDER**

1 Plaintiffs respectfully request that the Court vacate the case management conference set for
2 December 18, 2008 at 2:30 p.m. Defendant was served with the Summons and Complaint on
3 August 9, 2008, by substitute service. To date, Defendant has failed to file an answer or otherwise
4 respond to the Complaint. Plaintiffs sent a letter to Defendant on September 3, 2008 regarding her
5 failure to file an answer, but Defendant did not respond to this letter. Accordingly, Plaintiffs filed
6 their Request to Enter Default on September 12, 2008. Unfortunately, this Request was denied, as
7 the Proof of Service of the Summons and Complaint was incomplete.

8 Plaintiffs re-filed their Request to Enter Default on October 6, 2008 and attached an
9 Amended Proof of Service indicating the address at which Defendant had received substitute service,
10 and also indicating that Defendant been served by mail at the address where substitute service was
11 performed.

12 The clerk entered default against Defendant on October 9, 2008 and Plaintiffs served
13 Defendant with a copy of the Clerk's Entry of Default on the same day. Plaintiffs then filed their
14 Motion for Default Judgment against Defendant on October 30, 2008, and a hearing as to this
15 Motion is currently set for January 20, 2009 at 1:00 p.m. Thus, there appears to be no need for a
16 case management conference at this time. Accordingly, Plaintiffs respectfully request that the Court
17 vacate the case management conference set for December 18, 2008 at 2:30 p.m.

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19 Dated: December 8, 2008

HOLME ROBERTS & OWEN LLP


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21 By: /s/ Dawniell Alise Zavala
22 DAWNIELL ALISE ZAVALA
23 Attorney for Plaintiffs
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ORDER

Good cause having been shown:

IT IS ORDERED that the case management conference currently set for December 18, 2008, at 2:30 p.m., is hereby vacated.

Dated: 12/10/08



Honorable Saundra Brown Armstrong
United States District Judge